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IFW
Atty. Dkt. No. 047711-0286

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott R. Gibson et al.

Title: INFUSION DEVICE AND INLET
STRUCTURE FOR SAME

Appl. No.: 10/034,628

Filing Date: 12/27/2001

Examiner: Manuel A. Mendez

Art Unit: 3763

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below. <u>Jose Ramos</u> (Printed Name) <u>[Signature]</u> (Signature) <u>December 2, 2004</u> (Date of Deposit)

AMENDMENT TRANSMITTALMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.
- ☐ Assertion of Small Entity status is enclosed.
- ☒ The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	13	- 55	= 0	x \$18.00 =	\$0.00
Independent Claims:	3	- 10	= 0	x \$88.00 =	\$0.00
First presentation of any Multiple Dependent Claims:			+ \$300.00 =		\$0.00
CLAIMS FEE TOTAL					= \$0.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$430.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$980.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,530.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,080.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$0.00

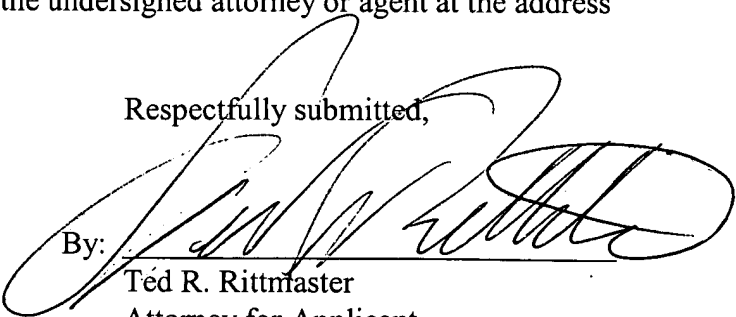
- ☐ Please charge Deposit Account No. 50-0872 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$0.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date: December 2, 2004
 FOLEY & LARDNER LLP
 Customer Number: 23392
 Telephone: (310) 975-7963
 Facsimile: (310) 557-8475

Respectfully submitted,

By:


 Ted R. Rittmaster
 Attorney for Applicant
 Registration No. 32,933



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RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed November 2, 2004, Applicant hereby provisionally elects Group III, Claims 24-34 and 47-49 for examination, with traverse.

If any additional information is needed for responding to the restriction requirement or any other aspect of the Office Action dated December 12, 2003, the Examiner is requested to contact the undersigned attorney at the Los Angeles telephone number (310) 975-7963.

Examination of the application, including the elected claims, and allowance of the application are hereby requested.

Respectfully submitted,

Date: December 2, 2004
FOLEY & LARDNER LLP
Customer Number: 23392
Telephone: (310) 975-7963
Facsimile: (310) 557-8475

By: [Signature]

Ted R. Rittmaster
Attorney for Applicant
Registration No. 32,933